

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	CASE NO. 1:24cr332
	)	
Plaintiff,	)	JUDGE DAN AARON POLSTER
	)	
vs.	)	ORDER ACCEPTING PLEA,
	)	JUDGMENT AND REFERRAL
SERGIO POLO-CRUZ,	)	TO U.S. PROBATION OFFICE
	)	
Defendant(s).	)	
	)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge James E. Grimes regarding the change of plea hearing of Sergio Polo-Cruz which was referred to the Magistrate Judge with the consent of the parties.

On September 19, 2024, the Government filed a one count Indictment, charging Defendant Polo-Cruz in one count, with Illegal Reentry, in violation of Title 8 U.S.C. § 1326. Defendant Polo-Cruz was arraigned on September 26, 2024, and entered a plea of not guilty to Count 1 of the Indictment before this Court. On October 2, 2024, Magistrate Judge James E. Grimes received Defendant Polo-Cruz's plea of guilty to Count 1 of the Indictment and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Polo-Cruz is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate

factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily.

Therefore, Defendant Polo-Cruz is adjudged guilty of Count 1 of the Indictment, Illegal Reentry, in violation of Title 8 U.S.C. § 1326. This matter was referred to U.S. Pretrial Services and Probation for the completion of a pre-sentence investigation and report. Sentencing will take place on November 26, 2024 at 10:45 a.m. in Courtroom 18B, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, OH.

IT IS SO ORDERED.

s/Dan Aaron Polster 10/17/2024  
DAN AARON POLSTER  
UNITED STATES DISTRICT JUDGE